

NOTICE OF OBJECTION TO CONFIRMATION

DITECH FINANCIAL LLC has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

Marie-Ann Greenberg  
Chapter 13 Standing Trustee  
30 Two Bridges Rd  
Suite 330  
Fairfield, NJ 07004

2. Attend the hearing scheduled to be held on July 5, 2018 in the NEWARK Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: June 19, 2018

/s/ Craig Keiser  
Craig Keiser, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext.  
Fax: 856-813-5501  
Email: Craig.Keiser@phelanhallinan.com

**File No. 809913**

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road  
Mt. Laurel, NJ 08054  
856-813-5500  
FAX Number 856-813-5501  
DITECH FINANCIAL LLC

In Re:

CHARLES B. DANIELS AKA  
CHARLES DANIELS

Debtors

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK

Chapter 13

Case No. 17-20615 - VFP

Hearing Date: July 5, 2018

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, DITECH FINANCIAL LLC, the holder of a Mortgage on debtor's residence located at 46 Cottage Pl, ENGLEWOOD, NJ 07631-3302 hereby objects to the Confirmation of the debtors proposed Chapter 13 Plan on the following grounds:

1. On June 30, 2017, Movant filed a Proof of Claim listing pre-petition arrears in the amount of \$18,434.42.
2. Debtors' Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
3. Debtors' Plan currently provides for payment to Movant in the amount of \$0.00.
4. Movant objects to Debtors' Plan as it is underfunded. Debtors' Plan should be amended.
5. Additionally, Debtor's Plan fails to provide for the full monthly post-petition payment owed to Movant under the terms of the Note and Mortgage. Movant objects to any post-petition payment amount less than 100% of what is required. Accordingly, confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, DITECH FINANCIAL LLC respectfully requests that the Confirmation of Debtors Plan be denied.

/s/ Craig Keiser  
Craig Keiser, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext.  
Fax: 856-813-5501  
Email: Craig.Keiser@phelanhallinan.com

Dated: June 19, 2018

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

809913  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
856-813-5500  
Attorneys for DITECH FINANCIAL LLC

In Re:

CHARLES B. DANIELS AKA  
CHARLES DANIELS

Case No: 17-20615 - VFP

Hearing Date: 07/05/2018

Judge: Vincent F. Papalia

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, MIGUEL ZAVALA:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC,  
who represents DITECH FINANCIAL LLC in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing  
myself.

2. On June 19, 2018 I sent a copy of the following pleadings and/or documents  
to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent  
using the mode of service indicated.

Dated: June 19, 2018

/s/ MIGUEL ZAVALA  
MIGUEL ZAVALA

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Charles B Daniels aka Charles Daniels 46 Cottage Place Englewood, NJ 07631	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
MARLENE DANIELS 46 Cottage Pl ENGLEWOOD, NJ 07631-3302	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Stuart D. Gavzy, Esquire Stuart D. Gavzy, Esq. 8171 E. Del Barquero Dr. Scottsdale, AZ 85258	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004 <a href="mailto:magecf@magtrustee.com">magecf@magtrustee.com</a>	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

<p>U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102 <a href="mailto:USTPRegion03.NE.ECF@usdoj.gov">USTPRegion03.NE.ECF@usdoj.gov</a></p>	<p>Trustee</p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)</p>
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\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.